

NICHOLAS GOODMAN & ASSOCIATES, PLLC

333 PARK AVENUE SOUTH, SUITE 3 A
NEW YORK, N.Y. 10010

H. NICHOLAS GOODMAN

PATRICK L. SELVEY, JR.

(212) 227-9003

CAMILLE M. ABATE
OF COUNSEL

DUANA M. RIVERA
PARALEGAL/OFFICE MANAGER

February 22, 2022

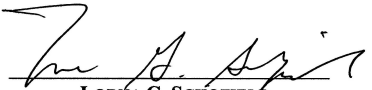
Via ECF

Hon. Lorna G. Schofield, U.S.D.J.
U.S. District Court, Southern District of N.Y.
500 Pearl Street
New York, New York 10007

Application granted. Defendants' deadline to answer or otherwise respond to the complaint is extended to March 22, 2022. The parties' deadline to file a joint letter and a case management plan is extended to April 6, 2022. The initial pretrial conference scheduled for March 16, 2022, is ADJOURNED to April 13, 2022, at 4:00 P.M. The parties shall call (888) 363-4749, and enter the access code 558-3333.

Dated: February 23, 2022

Re: **Coleman v. 26 Motors Corp., et al** New York, New York
Civil Action No. 1:21-cv-10537(LGS)(JLC)


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Judge Schofield,

This firm represents Defendants 26 Motors Corp. ("26 Motors") and JPMorgan Chase Bank, N.A. ("Chase") (collectively "Defendants") in the above referenced action. With Plaintiff's counsel's consent, Defendants respectfully request an extension of time to answer or otherwise respond to Plaintiff's Complaint to March 22, 2022. This is Defendants' first request for an extension of time.

By way of background, although the Affidavit of Service Plaintiff filed herein (Docket #8) shows service on 26 Motors via the New York Secretary of State on December 17, 2021, 26 Motors has yet to receive that process. Long delays between service on the Secretary of State and that office's delivery of process to the party served are unfortunately now commonplace.

Here, 26 Motors first became aware of this action on February 16, 2022, when Chase, which had been served via CT Corporation in Manhattan, tendered its defense to 26 Motors. That evening 26 Motors retained this firm and conveyed acceptance of Chase's tender. The next day, Chase confirmed 26 Motors' acceptance and the assignment of Chase's defense to the undersigned. I then immediately contacted Plaintiff's counsel to request an extension.

The requested extension would affect the deadlines set in Your Honor's January 31, 2022, Order (Docket #10) that calls for the parties to submit a joint letter on March 9, 2022, and to participate in telephonic conference on March 16, 2002. The parties respectfully request that Your Honor extend the deadline for the joint letter to April 11, 12 or 13, 2022, and the date for the telephonic conference to April 18, 19 or 20, 2022, all of course subject to Your Honor's calendar and preference.

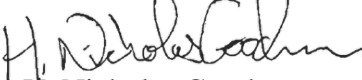
Finally, Defendants hereby agree that they will not assert any Affirmative Defenses alleging improper or ineffective service of process.

NICHOLAS GOODMAN & ASSOCIATES, PLLC

Plaintiff's counsel Daniel Schlanger has read this letter, approved its content and consents to the requests herein.

Thank you for your consideration in this matter.

Respectfully submitted,



H. Nicholas Goodman

cc: Counsel of Record (via ECF)